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By: **Delegates Bozman and Conway**  
Introduced and read first time: January 24, 2003  
Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Worcester County - Board of Education - Eligibility to Serve**

3 FOR the purpose of permitting a school bus contractor under the authority of the  
4 Worcester County Board of Education to be eligible to serve as a county board  
5 member; and generally relating to the eligibility of certain persons to serve on  
6 the Worcester County Board of Education.

7 BY repealing and reenacting, without amendment,  
8 Article - Education  
9 Section 3-114(b)  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume and 2002 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 3-1401  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume and 2002 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Education**

20 3-114.

21 (b) An individual subject to the authority of the county board may not serve as  
22 a member of the county board. At the time of filing a certificate of candidacy for  
23 election to a county board, a person shall certify to the local board of supervisors of  
24 election whether or not he is subject to the authority of the county board. The  
25 Governor shall not issue a commission of election to a person who has certified  
26 affirmatively and who is elected to a county board until the member-elect offers proof  
27 that he is no longer subject to the authority of the county board.

1 3-1401.

2 (a) The Worcester County Board consists of seven voting members and one  
3 nonvoting student member from each public high school in the county.

4 (b) (1) The seven voting members of the Worcester County Board shall be  
5 elected at a general election.

6 (2) Members of the Worcester County Board shall be elected in  
7 accordance with Title 8, Subtitle 8 of the Election Law Article.

8 (c) (1) A member from a county commissioner district shall be a resident of  
9 the district.

10 (2) A member from a county commissioner district who no longer resides  
11 in the district may not continue as a member of the County Board.

12 (3) NOTWITHSTANDING § 3-114(B) OF THIS TITLE, A SCHOOL BUS  
13 CONTRACTOR SUBJECT TO THE AUTHORITY OF THE COUNTY BOARD IS ELIGIBLE TO  
14 SERVE AS A MEMBER OF THE COUNTY BOARD.

15 (d) Of the seven voting members of the County Board, one shall be elected  
16 from each of the seven county commissioner districts.

17 (e) A member serves for a term of 4 years beginning on the January 1 after the  
18 member's election and until a successor is elected and qualifies.

19 (f) (1) One member shall be elected from each of the county commissioner  
20 districts 1, 4, 6, and 7 at the November 2002 general election.

21 (2) One member shall be elected from each of the county commissioner  
22 districts 2, 3, and 5 at the November 2004 general election.

23 (g) (1) The county commissioners shall appoint a new member to fill any  
24 vacancy on the County Board for the remainder of that term and until a successor is  
25 elected and qualifies.

26 (2) A resident of the district in which a vacancy exists may apply to the  
27 county commissioners to fill the vacancy.

28 (3) The county commissioners shall adopt rules for the application  
29 procedure to fill a vacancy on the County Board.

30 (h) (1) Each student member shall:

31 (i) Be a 12th grade student in the Worcester County public school  
32 system elected by the high school students of the public school which the student  
33 attends, in accordance with procedures established by the school system;

34 (ii) Serve for 1 year beginning on July 1 after the election of the  
35 member;

1 (iii) Be a nonvoting member; and

2 (iv) Advise the Board on the interests of students.

3 (2) Unless invited to attend by an affirmative vote of a majority of the  
4 County Board, the student members may not attend an executive session.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 July 1, 2003.